



Order Filed on July 20, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY (Newark)

Caption in Compliance with D.N.J. LBR 9004-1(b)
2017-1081

Powers Kirn, LLC
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Attorney for Wilmington Savings Fund Society, FSB
/b/a Christiana Trust, not individually but as Trustee
for Ventures Trust 2013-I-H-R, A Delaware Trust

In Re:

John Montelione
Marlise Montelione

Case No.: 15-10273-RG

Chapter: 7

Hearing Date: 07/18/2017 at 10:00am

Judge: Honorable Rosemary Gambardella

Recommended Local Form: ☒ Followed ☐ Modified

ORDER VACATING STAY

The relief set forth on the following page is hereby **ORDERED**.

DATED: July 20, 2017

A handwritten signature in cursive script, reading "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

Upon the motion of Powers Kirn, LLC, Attorneys for Wilmington Savings Fund Society, FSB /b/a Christiana Trust, not individually but as Trustee for Ventures Trust 2013-I-H-R, A Delaware Trust ("Wilmington Savings") debtor(s)' mortgagee, under Bankruptcy Code Section 362(d) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real property more fully described as 18 Maple Lane, Lake Hiawatha, NJ 07034-1125

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☐ Personal property more fully described as:

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, and any trustee and any other party who entered an appearance on the motion.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
John Montelione
Marlise Montelione
Debtors

Case No. 15-10273-RG
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 2

Date Rcvd: Jul 21, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 23, 2017.

db +John Montelione, 18 Maple Lane, Lake Hiawatha, NJ 07034-1125
jdb #+Marlise Montelione, 18 Maple Lane, Lake Hiawatha, NJ 07034-1125

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 23, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 21, 2017 at the address(es) listed below:

Andrea Silverman on behalf of Debtor John Montelione court@andreasilvermanlaw.com
Andrea Silverman on behalf of Joint Debtor Marlise Montelione court@andreasilvermanlaw.com
Andrew M. Lubin on behalf of Creditor CitiMortgage, Inc. bkecf@milsteadlaw.com, alubin@milsteadlaw.com
Andrew M. Lubin on behalf of Creditor Wilmington Savings Fund Society, FSB, DBA Christina Trust, Not Individually but as Trustee for Ventures Trust 2013-I-H-R bkecf@milsteadlaw.com, alubin@milsteadlaw.com
Andrew M. Lubin on behalf of Creditor Wilmington Savings Fund Society, FSB bkecf@milsteadlaw.com, alubin@milsteadlaw.com
Charles H. Jeanfreau on behalf of Creditor Wilmington Savings Fund Society, FSB, DBA Christina Trust, Not Individually but as Trustee for Ventures Trust 2013-I-H-R Charlesj@w-legal.com, BNCmail@w-legal.com
David Wolff dwtrustee@verizon.net, NJ50@ecfcbis.com
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmlawgroup.com, bkggroup@kmlawgroup.com
William M.E. Powers on behalf of Creditor Wilmington Savings Fund Society, FSB ecf@powerskirn.com
William M.E. Powers, III on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as Trustee for Venture Trust 2013-I-H-R, A Delaware Trust ecf@powerskirn.com

TOTAL: 10